

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
)
v.) No. 15-4043-02-CR-C-SRB
)
)
SHANDI DAWN WHITAKER,)
)
)
Defendant.)

REVOCATION OF RELEASE AND DETENTION ORDER PENDING TRIAL

On October 1, 2015, a bond revocation hearing was held to discuss the bond violations report submitted to the Court by Pretrial Services on defendant Shandi Dawn Whitaker. Defendant and her counsel, Cody Edwards, appeared in person. Assistant United States Attorney Jim Lynn appeared in person on behalf of the Government.

At the conclusion of the hearing, based on the evidence presented by the parties, the Court finds there is clear and convincing evidence that Defendant has violated conditions 7(l), 7(m), 7(n) and 7(o) of her conditions of release. On September 3, 2015, Defendant was instructed by Pretrial Services to go to Pathways in Eldon, Missouri to have her first sweat patch applied and to set up outpatient counseling. As of September 18, 2015, Pathways staff advised Pretrial Services that Defendant had yet to contact their facility. On September 21, 2015, when questioned about the failure to have the sweat patch applied and to set up outpatient counseling, Defendant admitted to Pretrial Services that she has been drinking alcohol and smoked methamphetamine on September 20, 2015.

Defendant's use of methamphetamine and alcohol are in violation of conditions 7(l) and 7(m), which require that Defendant refrain from use of alcohol and must not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner. Defendant's actions of failing to submit to drug testing and failing to comply with the directive of Pretrial Services to participate in outpatient substance abuse therapy violated conditions 7(n) and 7(o).

Accordingly, this Court finds that the actions of defendant Shandi Dawn Whitaker violated the conditions of her release and show that she is unlikely to further abide by a condition or combination of conditions of release. Moreover, there is clear and convincing evidence that defendant is a danger to community.

Accordingly,

IT IS ORDERED that defendant Shandi Dawn Whitaker's bond is revoked, pursuant to 18 U.S.C. § 3148, for violation of her conditions of release. It is further

ORDERED that defendant Shandi Dawn Whitaker is detained, pursuant to 18 U.S.C. § 3142. It is further

ORDERED that, pursuant to 18 U.S.C. § 3142(i), Shandi Dawn Whitaker be committed to the custody of the Attorney General for confinement in a pretrial detention facility. The Defendant must be afforded reasonable opportunity to consult privately with defense counsel. On Order of this Court or on request of an attorney for the Government, the person in charge of the pre-trial detention facility must deliver the defendant to the United States Marshal for all court appearances.

Dated this 1st day of October, 2015, at Jefferson City, Missouri.

/s/ Matt J. Whitworth
MATT J. WHITWORTH
United States Magistrate Judge